

**WISCONSIN DEPARTMENT
OF TRANSPORTATION**

**EVALUATION OF THE
EFFECTIVENESS OF THE
OCCUPATIONAL LICENSING PROGRAM**

**PHASE ONE:
LITERATURE REVIEW
AND
SURVEY OF JURISDICTIONS
(PROFILE OF HARDSHIP LICENSING
PROGRAMS IN NORTH AMERICA)**

FINAL REPORT

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INTRODUCTION



Introduction

Study Background

At the request of the Wisconsin Department of Transportation, The Dieringer Research Group, Inc. is conducting a study of the effectiveness of its occupational licensing program. This research project is being conducted in three phases.

Phase 1: Situation Assessment

- *Literature Review*
- *Survey of the US states and Canadian provinces about their policies and practices concerning occupational licenses*

Phase 2: Current Perceptions and Profiles

- *Interview experts and others in Wisconsin about their perceptions of Wisconsin's occupational licensing practices*
- *Survey the Wisconsin public to assess their understanding of the occupational license program*

Phase 3: Occupational Licensee Assessment

- *Survey occupational license holders*
- *Survey those denied an occupational license or were not eligible*
- *Survey those eligible for an occupational license but did not apply for one*
- *Develop a profile of Wisconsin occupational license applicants*
- *Compare driving records of Wisconsin occupational license holders with those of the general public*

This report presents the findings of Phase 1.

Introduction

Research Objectives

Phase 1 has several principal objectives:

- *Identify the most important issues surrounding occupational licenses and the state of knowledge about them*
- *Identify the policies and practices of other states and provinces concerning occupational licenses and compare them to policies and practices in Wisconsin*
- *Compare the laws, policies, and practices of Wisconsin more extensively to those of surrounding Midwestern states (Illinois, Indiana, Iowa, Michigan, and Minnesota).*
- *Evaluate the impact of occupational licensing programs on traffic safety and unemployment*

Methodology

Literature Review

For the first part of Phase 1 of this research project, The Dieringer Research Group, Inc. conducted a comprehensive literature search of numerous databases and web sites. Several research strategies were used, including:

- A survey of web sites, including the sites of state motor vehicle departments, organizations concerned with traffic laws, such as the American Association of Motor Vehicle Administrators (AAMVA), attorneys, and universities.
- A search of academic and other databases. Find/SVP, a New York-based company specializing in secondary research and database searches, assisted us in the literature search.

Survey of Jurisdictions

For the second part of Phase 1, The DRG conducted a survey of all 50 United States, the District of Columbia, all 10 Canadian provinces, and the Northwest and Yukon territories. The survey was conducted during April and May 2002.

An authoritative person from each state or province was asked about that jurisdiction's policies concerning occupational licenses and that person's evaluation of the impact of the laws. Although the main purpose of this survey was to gather primary data about the jurisdictions' occupational license policies and practices, we also asked for any research they had already conducted. The survey was conducted by telephone, fax, and e-mail. A total of 48 jurisdictions responded to the survey:

- 40 US states
- 7 Canadian provinces
- 1 Canadian territory (the Yukon Territory)

Introduction

More specifically, the jurisdictions surveyed were:

Jurisdictions Surveyed				
Midwestern States	Other States			Canadian Provinces/Territory
Illinois	Alaska	Louisiana	Pennsylvania	Alberta
Indiana	Arizona	Maryland	South Dakota	British Columbia
Iowa	Arkansas	Massachusetts	Tennessee	Manitoba
Michigan	California	Mississippi	Texas	Nova Scotia
Minnesota	Colorado	Missouri	Utah	Prince Edward Island
Wisconsin	Connecticut	Nebraska	Vermont	Quebec
	Delaware	New Jersey	Virginia	Saskatchewan
	Florida	New York	Washington	Yukon Territory
	Georgia	North Carolina	West Virginia	
	Idaho	North Dakota	Wyoming	
	Kansas	Ohio		
	Kentucky	Oregon		

In this report, all the data from the state/province survey will be presented so that readers from the Wisconsin Department of Transportation can more easily compare Wisconsin to the other jurisdictions. Each table will show results for:

- All 48 jurisdictions
- The 40 US states
- The 6 Midwestern states (Wisconsin, Illinois, Iowa, Minnesota, Michigan, Indiana)
- Wisconsin

Since Wisconsin is the only state in the final column in each table, each answer will be either 100% or 0%. (For ease of reading, all 0% entries will be shown by two dashes, or --. Throughout the United States and Canada, many terms are used to identify occupational licenses (such as hardship licenses and limited licenses). In this report, the term “hardship license” will be used because that was the term used in the questionnaire.

EXECUTIVE SUMMARY



Executive Summary

Literature Review

Little research has been published on hardship licenses. Some information that appears in the literature on the subject is summarized below:

- The number of states in the United States that issue hardship licenses has increased in the last 40 years, from 18 in 1966 to at least 41 today.
- One reason for the increase in the number of states issuing hardship licenses is the increasing severity of drunk driving laws. As a reaction to more convictions, and administrative license suspensions and revocations (and more severe penalties), states have offered hardship licenses.
- The impact of hardship licenses is difficult to measure—and has seldom been measured. One source suggested that hardship licenses could have the effect of reducing the impact of more license suspensions. But that source also said that it is difficult to make such a conclusion because of great limitations of the data:

“It is difficult to state whether or not this [reduction of the effectiveness of increased license suspension] has happened, because the effects on accident involvement of driving on limited licenses are not known and the number of offenders receiving limited licenses has been difficult to determine.”

Another source summarized the state of knowledge concerning hardship licenses:

“I don’t have the answers....In fact, I suspect that most states could not tell you the situation in their own jurisdictions.”

- An important study on hardship licenses was conducted in North Carolina, and the study results were first published in 1971. This study found that offenders who received hardship licenses had worse subsequent driving records than offenders who had not received hardship licenses.
- However, the study also found that the driving records of the hardship license holders were no worse than those of the average drivers. Since the offenders who received the hardship licenses tended to be different demographically (more young and male) than the average driver, and since this demographic group tends to have more traffic violations than other drivers, the fact that the drivers with hardship licenses were no worse than average drivers indicates they were probably better than their demographic segment in the population.
- One study found that hardship licenses used alone were not effective but when used with other sanctions, such as treatment or jail, they tended to be effective.
- Another source said that safety researchers and advocates tend to oppose hardship licenses because they “water down” the effectiveness of full suspensions. However, we have not found any safety researcher or advocate who opposes the use of hardship licenses.¹

¹ However, the Federal Motor Carrier Safety Administration is opposed to hardship licenses for commercial operators.

Executive Summary

Survey of States

The Dieringer Research Group, Inc. conducted a survey of 48 states² during April and May 2002. Respondents consisted of people who were familiar with their states' laws, policies, and practices concerning hardship licenses. They answered questions on their states' experiences with hardship licenses and their own assessments of the effects of hardship licenses. The findings are summarized below.

- Most states (83%) use hardship licenses. Half of the states that use hardship licenses have changed their laws, policies, or practices concerning the licenses in the past few years. About half of the changes involved making the licenses harder to get by tightening eligibility requirements, lengthening waiting periods, or starting or increasing use of an Ignition Interlock Device.
- The number of hardship licenses issued each year varies widely by state, from 25 per year to 48,000. The average is about 8,600 per year. Wisconsin is second-highest in issuing hardship licenses, with nearly 32,000 issued last year. California is the highest with 48,000.
- The licenses are given different names in different states. The most common names are "restricted license" and "hardship license."
- All the states that issue hardship licenses suspend or revoke driver's licenses for drunk driving and refusing to take a sobriety test. Almost all of them (88%) issue hardship licenses for drunk driving, but only 55% issue them for refusing to take a sobriety test.
- Almost all states suspend or revoke driver's licenses for non-driving offenses such as truancy and non-payment of child support, excessive "points" or traffic convictions, and non-payment of fines, but only half (55%) do so for non-driving drug convictions. The proportion of states suspending or revoking licenses for these offenses that also offer hardship licenses for them varies widely, from 12% to 78%.
- About half the hardship licenses issued are for drunk driving. The next-most-common offenses for which hardship licenses are issued is excessive "points" or traffic convictions.
- Of the states that issue hardship licenses for drunk driving, 79% take the offender's driver's license before conviction. Offenders are eligible for hardship licenses in 77% of those states. Offenders must wait at least 30 days in most of those states.

² For ease of reading, the term "state" is used here as a generic term to include all 48 jurisdictions included in the survey. However, the sample included seven Canadian provinces and the Yukon Territory as well as 40 states.

Executive Summary

- Offenders who are convicted have to wait varying lengths of time for their hardship licenses, depending on the offense and the state. The following table shows the percentage of states that require each waiting period for four types of offenses:

Waiting Periods (Percent of States that Offer Each Waiting Period for Hardship Licenses for Each Type of Offense)				
Offenses	<i>N</i> * =	Waiting Period		
		None	1 – 30 Days	60+ Days
First-time drunk driving (no injuries)	35	37%	31%	23%
Refusal to take sobriety test	22	23%	18%	45%
Excessive “points” or traffic convictions	28	57%	29%	11%
Non-payment of fines	4	100%	--	--
* “N” is the number of states that offer hardship licenses for each type of offense. For example, there are 35 states that offer hardship licenses for first-time drunk driving and of those 37% do not require a waiting period.				

- Over two-thirds (70%) of the states that issue hardship licenses charge fees for them. Fees range from \$5 to \$290; the average fee is \$67.52.
- In 30% of the states, the application process for hardship licenses requires a formal hearing.
- Almost two-thirds (63%) of the states require proof of financial responsibility (SR-22). Nearly as many (60%) require a letter from an employer or school. About half require a letter from a drug or alcohol treatment provider (45%) or evidence that other means of transportation are not available (40%).
- Most respondents did not know what percent of offenders who are eligible for hardship licenses apply for them; of those who did answer the question, the average was about 63%. When asked what percent of offenders who apply for hardship licenses receive them, over one-third did not know; of those who did answer the question, the average was about 60%.
- When asked why they thought eligible offenders did not apply for hardship licenses, the most common answer (given by 60% of the respondents) was that the offenders drove anyway without any licenses. Some respondents also said that the offenders find alternative transportation (34%) and that insurance is too expensive (31%).

Executive Summary

- Hardship licenses can be used for several different purposes. The ones most often mentioned by respondents were:

Work.....	95%
School.....	78%
Alcohol or drug treatment	63%
Medical or dental appointments	40%
Caring for family members.....	28%

- Hardship licenses come with restrictions. The most common restrictions are:

Destination.....	85%
Duration in months or years.....	78%
Days of the week.....	65%
Time of day	63%
Number of hours per week.....	50%
Routes of travel.....	48%

- About half the states allow hardship license holders to drive commercial vehicles, either with or without passengers.
- Survey respondents were asked to estimate how the use of hardship licenses had affected six areas of their states. The areas included traffic effects and non-traffic effects, such as unemployment. In all six areas, large proportions of respondents said they did not know; in some areas, most of the respondents said they did not know. In all the areas except “number of offenders operating without a valid license,” the overwhelming majority of respondents said they did not know or that hardship licenses had not had any effects. The results for the six areas are shown in the following table:

Effects of Hardship Licenses on Six Areas	
Area	Effects
Number of offenders operating without valid licenses	<ul style="list-style-type: none"> 30% did not know 33% said “no effect” 23% said “reduced the number a little”
Insurance claims and rates	<ul style="list-style-type: none"> 68% did not know 18% said “no effect”
Number of traffic accidents	<ul style="list-style-type: none"> 53% did not know 40% said “no effect”
Number of traffic injuries and deaths	<ul style="list-style-type: none"> 55% did not know 38% said “no effect”
Unemployment	<ul style="list-style-type: none"> 45% did not know 33% said “no effect”
Mortgage defaults	<ul style="list-style-type: none"> 83% did not know 15% said “no effect”

Executive Summary

- During recruiting or interviewing, a few respondents said their states had research or consistent tracking systems that allowed them to measure the impacts of hardship licenses on traffic crash and conviction rates, insurance claims and rates, or unemployment. However, upon further investigation, all the tracking systems were simply statistics on accident rates or numbers of hardship licenses issued, often requiring programming in order to access them. They could not easily or reasonably provide us with actual statistics that had ever been used to measure the impact of hardship licenses on any other variables.

Comparison of Wisconsin to other Midwestern States

- Wisconsin tends to be more lenient than other Midwestern states in terms of occupational licenses, although not in all ways. It does not require a waiting period for first-offense OWI. Its fee for an occupational license is \$40, well below the Midwest average of \$90. It offers the licenses for the approximately same reasons as other Midwestern states but has only one requirement for an eligible offender to receive a license (proof of financial responsibility). Wisconsin also allows the largest number of activities, including household duties, which is very difficult to enforce. However, the occupational license in Wisconsin has six types of restrictions, which is more than most of the remaining states.
- Iowa seems to be the strictest Midwestern state in terms of hardship licenses. Iowa has all seven requirements, allows only three activities, and, along with Wisconsin, has the most restrictions.

Effect of Hardship Licensing Programs on Traffic Fatality Rates and Unemployment

- There is a weak relationship between hardship licensing programs and traffic fatality. States³ with a strict hardship licensing program tend to have lower fatality rates than other states. States with a lenient or moderately strict program tend to have the highest traffic fatality rates. States without a hardship licensing program tend to have low traffic fatality rates, but not as low as states with a strict program.
- There is no perceptible relationship between the presence of or the strictness of a hardship licensing program and state unemployment rates. That is, states with a strict hardship licensing program, a lenient program, or no program do not have higher or lower unemployment rates.

³ Because of data availability, only US states were included in this supplemental analysis.

DETAILED FINDINGS

Detailed Findings

Literature Review

Lack of Substantial Body of Research

The first finding of the literature review is that very little research has been conducted on the subject of occupational or hardship licenses. Although survey respondents from six states said their states had conducted research; in all these cases, the research consisted only of collecting data on numbers of licenses issued or general traffic and/or drunk driving statistics.

The literature review did uncover a few previous studies on occupational licenses. Some of these studies consist of traditional quantitative research, but some of them consist of traffic law experts giving their impressions of the impact of occupational licenses. These experts often stress the lack of data on the impacts of occupational licenses. Much of the secondary research consists of writers commenting on previous research without citing that research completely.

The remainder of this section of the report consists of the findings of limited number of sources available.

Number of Occupational Licenses has Increased

Using a report from 1986 written by Robert B. Voas and Jane A. Meyer, as well as our own survey, the number of occupational licenses increased dramatically from the 1960s to the 1980s but has remained steady since. The following table shows the number of states that offered occupational licenses for selected years from 1966.

Number of US States with a Hardship Licensing Program (Including 50 States and DC)	
Year	Number of States
1966	18
1971	22
1977	38
1986	40
2002	41
NOTE: Years 1966 – 1986 include only states that offered occupational licenses to first-time drunk drivers. The 2002 data includes all states that offer occupational licenses.	
SOURCES: Data for years 1966 – 1986 is from Voas and Meyer (1986). Data for 2002 is from the current project's survey of the states. In this study, the "41" should be viewed as a minimum because three states were not reached for interviews (AL, DC, and NM), and they may have occupational licenses.	

Detailed Findings

Voas and Meyer suggested that the increase in the number of hardship licenses was due to the more severe sanctions and the increased imposition of drunk driving penalties, especially administrative suspensions and revocations:

“In recent years, public concern over drunk driving has resulted in new legislation to increase the stringency of penalties for drunk driving offenses, and in greater pressure on the courts to impose these stricter sanctions. One tangible result of this increased concern has been the enactment of administrative per se laws which can provide for license suspension independent of court action....

“This increased use of license suspensions as a sanction for drunk driving offenses has, in its turn, tended to result in greater use of limited licenses as a means of alleviating what is believed to be the severe hardship of full license suspension....” (Voas and Meyer, pp. 1-2)

Uncertain Impact of Occupational Licenses

The impact of occupational licenses has not been determined. Experts disagree with each other. One possible impact is that occupational licenses have led to increased convictions for drunk driving. In one source from 2001, (Buxton et. al., p. 48), Patricia Waller, an expert from the University of Michigan, is cited as referring to an increase in drunk driving convictions in North Carolina that might be attributed to the advent of occupational licenses. She said that because of the severity of OWI (Operating While Intoxicated) penalties, juries were reluctant to convict drunk drivers. When occupational licenses were introduced, the number of convictions increased.

In the 1986 publication, Voas and Meyer pointed to the downside of occupational licenses in mitigating the effect of more license suspensions. They said that by alleviating the hardship of the full license suspension,

“[T]here may be a significant risk that some of the highway safety benefits gained from the increased use of license suspensions will be offset by greater use of limited licenses.” (p. 2)

The actual impact of occupational licenses is very uncertain. Voas and Meyer pointed out that occupational licenses could have the effect of reducing the effectiveness of increased use of license suspensions, but they did not claim that it did have that effect. They said:,

“It is difficult to state whether or not this has happened, because the effects on accident involvement of driving on limited licenses are not known and the number of offenders receiving limited licenses has been difficult to determine.” (p. 2)

Both Voas and Meyer and Waller cited data from North Carolina.⁴ In North Carolina, first-time offenders with occupational licenses had more subsequent offenses and accidents than offenders whose licenses were suspended but did not receive hardship licenses. However, the driving records of the offenders with hardship licenses were no worse than the driving records of the average North Carolina driver (although Waller did say that they had more OWI convictions than the average

⁴ Voas and Meyer said the study was written by Johns and Pascarella and was published in 1971 but gave no further citation.

Detailed Findings

driver). Voas and Meyer reasoned that since all of the offenders with hardship licenses had at least one previous conviction, one might expect their records to be worse than the average driver, who had not had any convictions, so it is possible that the occupational licenses were effective in reducing accidents. Waller also pointed out that traffic offenders have different demographic characteristics (they tend to be young male drivers); she said that if the occupational license holders were compared to a similar demographic group, the difference between the two groups would be greater. (2002)

Although Voas implied in the 1986 document that hardship licenses might have good effects, in the 2001 document, he was quoted as being very critical of them. He said that there is “little evidence that the presence or absence of such licenses has a general deterrent effect. The specific deterrent effect is less clear.” Voas also said that safety researchers and advocates generally oppose occupational licenses because they are a method to “water down” the effectiveness of full suspensions. (However, in this research, we have not found any safety researchers or advocates who oppose occupational licenses.)⁵

Voas and Meyer cited one study that indicated that occupational licenses could be effective if they were combined with other sanctions. Tashima and Peck (in press in 1986) found that when used alone, occupational licenses were one of the least effective sanctions, but when combined with a treatment or jail, the use of limited licenses “was among the most effective sanctions for reducing alcohol-related accidents and offenses.”

In the 2001 study, an e-mail from Waller was quoted. In it, she summarized the state of knowledge of occupational licenses, “I don’t have the answers....In fact, I suspect that most states could not tell you the situation in their own jurisdictions.”

REFERENCES

Buxton, Sandra, Hodgkinson, Sully, Max, and Hartely, Laurence. *Background Research About Extraordinary Licenses*. (2001) Murdoch University: Perth, Western Australia.

Voas, Robert B. and Meyer, Jane A. *An Evaluation of Hardship Licensing for DWI’s. Volume I: State Hardship Licensing Practices*. (1986) National Highway Traffic Safety Administration, US Department of Transportation.⁶

Waller, Patricia. Personal Correspondence (2002)

⁵ Although we have not found anybody who opposes the use of occupational licenses for regular drivers, the Federal Motor Carrier Safety Administration is opposed to hardship licenses for commercial operators.

⁶ The source by Voas and Meyer contains several references to other publications but does not include any complete citations. These publications are mentioned in the text of this report.

Detailed Findings

Survey of States

Use of a Hardship Licensing Program

As the following table shows, 40 of the 48 jurisdictions participating in this survey (85%) had hardship licensing programs at the time of the survey. All six Midwestern states had programs. (For the purposes of this study, the six states of Wisconsin, Illinois, Indiana, Iowa, Michigan, and Minnesota, will be classified as “Midwestern” states.

Use of a Hardship Licensing Program				
Responses	Jurisdiction			
	USA/Canada	USA	Midwest	Wisconsin
<i>N</i> =	48	40	6	1
Yes	83%	88%	100%	100%
No	17%	12%	--	--
Source: Data Table 1				

Changes in Hardship Licensing Laws

The state of hardship laws is often in flux. About half of the jurisdictions—and two-thirds of the Midwestern states—have changed laws, policies, or practices in the past few years.

Changes in Hardship License Laws (Jurisdictions that Issue Hardship Licenses for OWI)				
Responses	Jurisdiction			
	USA/Canada	USA	Midwest	Wisconsin
In the past few years, has your state changed its laws, policies, or practices concerning hardship licenses?				
<i>N</i> =	40	35	6	1
Yes	48%	49%	67%	100%
No	52	51	33	--
Source: Data Table 119				

Of the 19 jurisdictions reporting changes, there was no consistent direction to the changes. The rules relating to hardship licenses were made more strict in 10 jurisdictions (for example, by tightening the eligibility requirements or lengthening the waiting periods) and less strict in three jurisdictions, with uncertain results in the other remaining six. Use of an Ignition Interlock Device was begun or increased in five of the jurisdictions.

Detailed Findings

Past or Projected Use of Hardship Licenses

The eight respondents from jurisdictions that do not issue hardship licenses were asked about their jurisdictions' past use and possible future use of them. The following table shows that four of the eight jurisdictions had used hardship licenses in the past and one was considering using the licenses in the future.

Past and Projected Future Use of Hardship Licenses (Jurisdictions that Do Not Issue Hardship Licenses for OWI)				
Responses	Jurisdiction			
	USA/Canada	USA	Midwest	Wisconsin
Has your state used hardship licenses in the past?				
<i>N</i> =	8	5	0	0
Yes	50%	40%	--	--
No	50	60	--	--
Is your state considering using hardship licenses in the future?				
<i>N</i> =	8	5	0	0
Yes	13%	20%	--	--
No	87	80	--	--
Source: Data Tables 9 – 13				

When the four respondents whose jurisdictions had previously used hardship licenses were asked why their jurisdiction had stopped using them, they said that the program had been too difficult to enforce and/or that offenders were not complying with it.

The one respondent from a jurisdiction that was considering the use of hardship licenses said:

“The chief reasons relate to economical and societal concerns—the adverse financial impact on a chief family breadwinner or for a sole source transportation provider, to essential healthcare services. However, these issues must be balanced by highway safety policy concerns, as well as enforcement problems.”

The respondents from jurisdictions that are not considering the use of hardship licenses said that hardship licensing would be a legislative matter and that no hardship licensing bill had been introduced. They said that a hardship licensing program would be hard to enforce and would be abused.

Detailed Findings

Number of Hardship Licenses Issued

The number of hardship licenses issued by various jurisdictions varies widely, from only 25 per year to 48,000. Midwestern states tend to issue more occupational licenses than the other jurisdictions. Among the 40 jurisdictions surveyed that issue hardship licenses, Wisconsin, with 31,968, issues the second largest number of hardship licenses. California, with 48,000, issues the most hardship licenses.

Approximately one-third of the respondents did not know how many hardship licenses their jurisdictions issued each year.

Number of Hardship Licenses Issues Last Year (Jurisdictions with a Hardship Licensing Program)				
Responses	Jurisdiction			
	USA/Canada	USA	Midwest	Wisconsin
<i>N</i> =	40	35	6	1
Under 500	13%	11%	--	--
500 – 999	17	11	--	--
1,000 – 9,999	15	14	17%	--
10,000 – 19,999	8	9	17	--
20,000 +	12	14	33	100%
Don't know	33	37	33	--
Refused	2	3	--	--
<i>Mean</i> =	8,629	10,365	17,871	31,968
Source: Data Table 6				

Detailed Findings

License Name

The “hardship” or “occupational” licenses are given many names in the United States and Canada. The name “restricted” license is used more often than any other name (38%), and “hardship” license is used second-most (28%). Approximately one in ten jurisdictions (10%) use the term “occupational” license.

What License is Called (Jurisdictions with a Hardship Licensing Program)				
Responses	Jurisdiction			
	USA/Canada	USA	Midwest	Wisconsin
<i>N</i> =	40	35	6	1
Restricted License	38%	34%	67%	--
Hardship License	28	31	17	--
Limited License	18	20	17	--
Work Permit / Work Restricted License	13	14	17	--
Occupational License	10	11	17	100%
Conditional License	10	6	--	--
Probationary License	5	6	--	--
Education/School Permit	5	6	--	--
Other	10	9	--	--
Source: Data Table 26				

Detailed Findings

Offenses Providing for License Suspension or Revocation

The respondents were asked if their jurisdictions suspended or revoked driver's licenses for each of six offenses. All the jurisdictions surveyed that issue hardship licenses suspend and/or revoke driver's licenses for drunk driving and for refusing to take a sobriety test. All of the Midwestern states and almost all of the jurisdictions (93%) suspend and/or revoke licenses for non-driving offenses such as truancy or non-payment of child support. High percentages of the jurisdictions surveyed suspend and/or revoke driver's licenses for excessive demerit points or traffic convictions (90%) and non-payment of fines (85%). About half (55%) do so for non-driving drug convictions. Wisconsin suspends and/or revokes driver's licenses for all these offenses.

In addition, some respondents added that their jurisdictions suspend or revoke driver's licenses for other reasons, such as no insurance.

Offenses for which a Driver's License may be Suspended or Revoked (Jurisdictions with a Hardship Licensing Program)				
Responses	Jurisdiction			
	USA/ Canada	USA	Midwest	Wisconsin
<i>N =</i>	<i>40</i>	<i>35</i>	<i>6</i>	<i>1</i>
OWI/DWI/DUI	100%	100%	100%	100%
Refuse sobriety test	100	100	100	100
Non-driving offense (e.g. truancy, non-payment of child support)	93	94	100	100
Points/Convictions	90	89	83	100
Non-payment of fines	85	89	100	100
Non-driving drug conviction	55	63	50	100
<i>The following offenses were named by some respondents but were not in the original six offenses included in the question.</i> <ul style="list-style-type: none"> - <i>No insurance</i> - <i>Accidents and judgements</i> - <i>Non-drinking underage possession / drinking conviction</i> - <i>Evading arrest or an officer</i> - <i>Reckless driving</i> - <i>Medical condition</i> 				
Source: Data Table 29				

Detailed Findings

Offenses Eligible for a Hardship License

The following table shows jurisdictions with a hardship licensing program that suspend and/or revoke driver's licenses for each of the six types of offenses. For example, in the case of drunk driving, all of the jurisdictions with a hardship licensing program are included because all suspend and/or revoke driver's licenses for drunk driving. However, in the case of non-driving drug convictions, only 22 jurisdictions are included because only 22 jurisdictions suspend and/or revoke driver's licenses for non-driving drug convictions.

The large majority (88%) of jurisdictions that issue hardship licenses do so for drunk drivers but only 55% do so for drivers who refuse to take a sobriety test. Wisconsin offers occupational licenses for both offenses.

About three-fourths (78%) of jurisdictions with a hardship licensing program and suspends or revokes licenses for excessive demerit points or traffic convictions issues hardship licenses for those offenses. About four in ten (41%) of jurisdictions with a program and suspends or revokes driver's licenses for non-driving drug convictions offer hardship licenses for that offense. Very few jurisdictions with a program that suspend or revoke due to non-payment of fines offer a hardship license for this offense.

Offenses for which a Person is Eligible for a Hardship License (Jurisdictions with a Hardship Licensing Program that Suspend/Revoke Licenses for Each Reason)				
Responses	Jurisdiction			
	USA/Canada	USA	Midwest	Wisconsin
<i>N =</i>	<i>Varies</i>	<i>Varies</i>	<i>Varies</i>	<i>1</i>
OWI/DWI/DUI	88%	89%	83%	100%
Refuse sobriety test	55	57	83	100
Non-driving offense	30	33	50	100
Points/Convictions	78	74	80	100
Non-payment of fines	12	13	17	--
Non-driving drug	41	41	100	100
Source: Data Tables 29 and 32				

Detailed Findings

Percent of Hardship Licenses Issued by Offense

Each respondent was asked what percent of hardship licenses are issued for each type of offense in his or her jurisdiction. The following table shows the average percent within each type of jurisdiction for each type of offense. The table shows that, on the average, about half of the hardship licenses (47.8%) are offered for drunk driving. About 66% of the occupational licenses in Wisconsin are issued for drunk driving offenses.

Average* Percent of Hardship Licenses Issued for Each Type of Offense (Jurisdictions with a Hardship Licensing Program)				
Responses	Jurisdiction			
	USA/Canada	USA	Midwest	Wisconsin
<i>N</i> =	40	35	6	1
OWI/DWI/DUI	48%	51%	53%	66%
Refuse sobriety test	6	7	3	5
Non-driving offense	**	**	**	--
Points/Convictions	21	12	8	25
Non-payment of fines	--	--	--	--
Non-driving drug	**	**	1	3
Other reasons	4	4	1	1
*The table entries are the average values of percents given by survey respondents. For example, if Respondent A gave an answer of 20% for an offense, and Respondent B gave an answer of 40%, the average percent would be 30%. Since all jurisdictions are counted equally, the table entries are not weighted means.				
**Less than 0.5%				
NOTE: The average percentages do not add to 100% in the first three columns because many respondents did not know the percentages for some offenses.				
Source: Data Tables 36 – 42				

Detailed Findings

OWI Offender Hardship Licensing Procedures

Loss of License Prior to Conviction and Eligibility for Hardship Licenses

Of the jurisdictions that offer hardship licenses for drunk driving, 79% take the offenders' driver's licenses before conviction. Offenders in all Midwest states lose their license prior to conviction.

Just over three-fourths (77%) of jurisdictions offer hardship licenses to OWI offenders between the arrest but prior to the conviction.

Loss of License Prior to OWI Conviction and Eligibility for a Hardship License (Jurisdictions that Issue Hardship Licenses for OWI)				
Responses	Jurisdiction			
	USA/Canada	USA	Midwest	Wisconsin
Is there a loss of license after the drunk driving arrest but prior to the conviction?				
<i>N</i> =	33	29	5	1
Yes	79%	79%	100%	100%
No	18	21	--	--
Don't Know	3	--	--	--
Is the offender eligible for a hardship license during that period?				
<i>N</i> =	26	23	5	1
Yes	77%	87%	100%	100%
No	23	13	--	--
Source: Data Tables 43 and 44				

Detailed Findings

Waiting Periods

Pre-Conviction Waiting Period for Hardship License

Of those that do offer hardship licenses between the OWI arrest and conviction, 55% require the offenders to wait 30 days, while 25% do not require a waiting period at all, Wisconsin included.

Waiting Period Prior to OWI Conviction (Jurisdictions that Issue Hardship Licenses for OWI)				
Responses	Jurisdiction			
	USA/Canada	USA	Midwest	Wisconsin
<i>N</i> =	20	20	5	1
No wait	25%	25%	40%	100%
Less than 30 days	5	5	--	--
30 days	55	55	60	--
60 days	5	5	--	--
90 days	--	--	--	--
120 or more days	--	--	--	--
Not available	5	5	--	--
Don't know	5	5	--	--
Source: Data Table 45				

Detailed Findings

Post-Conviction Waiting Period for Hardship License

Of those jurisdictions that issue hardship licenses for first-time convicted drunk driving offenders who do not injure any other people, 37% do not require any waiting period. A little more than one-third require the offenders to wait 30 – 60 days. Wisconsin does not have a waiting period.

Waiting Period For First-Time Convicted OWI Offender (With no Injuries Caused by the Drunk Driver) (Jurisdictions that Issue Hardship Licenses for OWI)				
Responses	Jurisdiction			
	USA/Canada	USA	Midwest	Wisconsin
<i>N</i> =	35	31	5	1
No wait	37%	42%	40%	100%
Less than 30 days	3	3	20	--
30 days	29	32	40	--
60 days	6	7	--	--
90 days	14	7	--	--
120 or more days	3	3	--	--
Not available to offender	3	--	--	--
Don't know	6	7	--	--
Source: Data Table 46				

Detailed Findings

Post-Conviction First-Time Sobriety Test Refusal Waiting Periods

Waiting periods tend to be longer for offenders who are convicted of refusing sobriety tests than for those who convicted of drunk driving. Of those jurisdictions that issue hardship licenses for offenders who refuse to take sobriety tests (for a first offense), almost half (46%) require waiting periods of 60 days or more.

Waiting Period for First-Time Refusal of Sobriety Test (Jurisdictions that Issue Hardship Licenses for Test Refusal)				
Responses	Jurisdiction			
	USA/Canada	USA	Midwest	Wisconsin
<i>N</i> =	22	20	5	1
No wait	23%	25%	--	--
Less than 30 days	5	5	20	--
30 days	14	15	40	100%
60 days	5	5	20	--
90 days	23	20	--	--
120 or more days	18	15	--	--
Not available to offender	5	5	--	--
Don't know	9	10	20	--
Source: Data Table 47				

Detailed Findings

Administrative Withdrawals Waiting Period

Jurisdictions that issue hardship licenses to offenders who lost their driver's licenses because of excessive demerit points or traffic convictions (administrative withdrawals) tend to be more lenient on the waiting periods than for drunk driving or, especially, refusing to take sobriety tests. Nearly 70% of the jurisdictions require short waiting periods of less than 30 days or no waiting periods. Wisconsin does not require a waiting period.

Waiting Period For Administrative Withdrawals (Jurisdictions that Issue Hardship Licenses for Administrative Withdrawals)				
Responses	Jurisdiction			
	USA/Canada	USA	Midwest	Wisconsin
<i>N</i> =	28	23	4	1
No wait	61%	57%	50%	100%
Less than 30 days	7	9	50	--
30 days	21	26	--	--
60 days	--	--	--	--
90 days	7	4	--	--
120 or more days	--	--	--	--
Not available to offender	--	--	--	--
Don't know	4	4	--	--
Source: Data Table 48				

Four states offer hardship licenses for non-payment of fines. None of them requires a waiting period (see Data Table 50).

Detailed Findings

Hardship License Fees

Over two-thirds (70%) of the jurisdictions that issue hardship licenses charge fees for the licenses. The fees range from \$5 to \$140. The average fee for all jurisdictions is \$67.52. It is \$90.33 for the Midwest, and the fee is \$40 for Wisconsin.

Fees for Hardship Licenses (Jurisdictions that Issue Hardship Licenses)				
Responses	Jurisdiction			
	USA/Canada	USA	Midwest	Wisconsin
Is there a fee for a hardship license?				
<i>N</i> =	40	35	6	1
Yes	70%	69%	100%	100%
No	28	29	--	--
Don't Know	3	3	--	--
How much is the fee?				
<i>N</i> =	28	24	6	1
Less than \$10	7%	8%	17%	--
\$10 - \$24	21	21	--	--
\$25 – \$49	25	29	33	100%
\$50 - \$99	14	17	17	--
\$100 or more	29	21	33	--
Don't know	4	4	--	--
<i>Mean</i> =	\$67.52	\$62.09	\$90.33	\$40.00
Source: Data Tables 52 – 53				

Detailed Findings

Procedures and Requirements for a Hardship License

Less than one-third (30%) of the respondents said their hardship license application process requires a formal hearing.

Most jurisdictions require proof of financial responsibility (63%) and a letter from an employer (60%) to issue a hardship license to an offender. Almost half require a letter from a drug or alcohol provider (45%) and evidence that other means of transportation are not available (40%).

Of the eight items discussed, Wisconsin requires only proof of financial responsibility.

Procedure and Requirements for a Hardship License (Jurisdictions that Issue Hardship Licenses)				
Responses	Jurisdiction			
	USA/ Canada	USA	Midwest	Wisconsin
Does the application process require a formal hearing?				
<i>N</i> =	40	35	6	1
Yes	30%	26%	17%	--
No	70	74	83	100%
Requirements required for hardship licenses				
<i>N</i> =	40	35	6	1
Proof of financial responsibility or insurance (SR-22)	63%	71%	67%	100%
A letter from an employer or school	60	60	33	--
A letter from a drug or alcohol treatment provider	45	46	50	--
Evidence that other means of transportation are not available	40	43	50	--
A vision test	25	29	50	--
A letter from a healthcare provider	23	26	33	--
A written test	18	20	33	--
A road test	15	17	33	--
NOTE: The percentage in each table cell is the percentage of respondents who said "Yes," that the state has that requirement. If a respondent said "don't know" or "depends, that answer is not counted as a "Yes." We are unable to determine whether a "don't know" is a "yes" or a "no," and we cannot judge whether "depends" means "usually" or "rarely" or something in between.				
Source: Data Tables 54 – 62				

Detailed Findings

Incidence of Hardship License Application/Receipt

When asked what percent of offenders who are eligible for hardship licenses actually apply for them, most respondents (55%) did not know. Of those who responded to the question, the average was about 63%.

When asked what percent of the respondents who apply for hardship licenses receive them, a little less than half (38%) of the respondents said they did not know. Of those who knew, the average is about 60%. In Wisconsin, 82% of those offenders who apply for an occupational license receive it, higher than the average in the Midwest and all other jurisdictions.

Applying for, and Receiving, Hardship Licenses (Jurisdictions that Issue Hardship Licenses)				
Responses	Jurisdiction			
	USA/Canada	USA	Midwest	Wisconsin
Of all offenders who are eligible for a hardship license, about what percent apply for it?				
<i>N</i> =	40	35	6	1
None	--	--	--	--
1% - 24%	15%	17%	--	--
25% - 49%	--	--	--	--
50% - 74%	10	11	--	--
75% - 99%	20	20	--	--
100%	--			
Don't know	55	51	100%	100%
<i>Mean</i> =	62.8%	60.6%	--	--
Of all the offenders that apply for a hardship license, about what percent receive it?				
<i>N</i> =	40	35	6	1
None	--	--	--	--
1% - 24%	8%	9%	--	--
25% - 49%	10	11	33	--
50% - 74%	13	11	--	--
75% - 99%	33	29	17	100%
100%	--	--	--	--
Don't know	38	40	50	--
<i>Mean</i> =	59.8%	54.7%	49.7%	82.0%
Source: Data Tables 70 and 76				

Detailed Findings

Reasons for Not Applying for Hardship License

When asked to explain why they thought offenders who are eligible for hardship licenses do not apply for them, the most frequent answer (59%) was that the offenders drive anyway without driver's licenses.

About one-third of the respondents said that the offenders find alternative transportation (34%) and that insurance is too expensive (31%).

Why Eligible Offenders do not Apply for Hardship License (Jurisdictions that Issue Hardship Licenses)				
Responses	Jurisdiction			
	USA/ Canada	USA	Midwest	Wisconsin
What do you think are the main reasons in your state that eligible offenders do not apply for a hardship license? (multiple answers allowed)				
<i>N</i> = *	29	24	5	1
They drive anyway without a license.	59%	63%	100%	100%
They find alternative transportation (do not need a hardship license).	34	38	60	100
Insurance is too expensive	31	38	60	100
They don't know about the hardship license.	24	25	40	--
Costs too much (legal fees, application fees, etc.).	24	29	80	--
It is too much hassle to get a hardship license.	21	25	60	100
Other reasons	14	13	--	--
Don't know	24	17	--	--
* This question was added to the questionnaire after the survey had begun, so the sample sizes are smaller than the total sample				
Source: Data Table 71				

Detailed Findings

Hardship License Activities

In the majority of jurisdictions, hardship licenses can be used for work (95%) and school (78%). They can be used for alcohol or drug treatment in 63% of the jurisdictions.

In four of ten states (40%), hardship licenses can be used for medical and dental appointments.

In Wisconsin, occupational licenses can be used for any of the seven reasons listed, although not for “anything” with no restrictions.

A little over half (56%) of the respondents said their jurisdictions verify that the uses the offenders plan to make of the hardship licenses are legitimate, with 54 % of US states doing so. Few Midwest states verify the uses (17%) while Wisconsin does not verify the uses of the hardship licenses as legitimate. (See Data Table 89)

Types of Activities Hardship Licenses Can Be Used For (Jurisdictions that Issue Hardship Licenses)				
Responses	Jurisdiction			
	USA/ Canada	USA	Midwest	Wisconsin
<i>N</i> =	40	35	6	1
Work	95%	97%	83%	100%
School	78	80	83	100
Alcohol or drug treatment	63	69	83	100
Medical or dental appointments	40	43	50	100
Caring for family members	28	29	50	100
Religious observation	23	23	17	100
Grocery shopping/Household duties	23	23	33	100
Other activities at the court’s discretion	3	3	--	--
Anything—meaning no restricted activities	5	3	17	--
Other	13	9	17	100
NOTE: The percentage in each table cell is the percent of respondents who said “Yes,” that the state allows that activity. If a respondent said “don’t know” or “depends, that answer is not counted as a “Yes.” We are unable to determine whether a “don’t know” is a “yes” or a “no,” and we cannot judge whether “depends” means “usually” or “rarely” or something in between.				
Source: Data Tables 79 – 88				

Detailed Findings

Hardship License Restrictions

In a large majority of jurisdictions, hardship licenses have limitations concerning the users' destinations (85%) and duration in months or years (78%). Most jurisdictions also restrict the use by day of the week (65%) and time of day (63%).

About half the jurisdictions have limitations concerning number of hours per week (50%) and routes of travel (48%).

The Midwest is generally similar to the rest of the United States, except that it is more likely to limit the number of hours per week and slightly less likely to limit the routes of travel. Wisconsin uses all six restrictions, plus others, in administering its occupational license program.

Restrictions that Hardship Licenses Have (Jurisdictions that Issue Hardship Licenses)				
Responses	Jurisdiction			
	USA/ Canada	USA	Midwest	Wisconsin
<i>N</i> =	40	35	6	1
Destination (work, school, treatment, etc.)	85%	86%	83%	100%
Duration in months or years (e.g. good for only one year)	78	80	83	100
Day of the week	65	63	67	100
Time of day	63	60	67	100
Number of hours per week	50	54	83	100
Routes of travel	48	49	33	100
Other restrictions at the court's discretion	40	40	33	100
Other	18	14	33	100
NOTE: The percentage in each table cell is the percent of respondents who said "Yes," that the state has that restriction. If a respondent said "don't know" or "depends, that answer is not counted as a "Yes." We are unable to determine whether a "don't know" is a "yes" or a "no," and we cannot judge whether "depends" means "usually" or "rarely" or something in between.				
Source: Data Tables 94 – 101				

Detailed Findings

Commercial Driving

About half of the jurisdictions allow offenders with hardship licenses to drive commercial vehicles without passengers (53%) and with passengers (50%). Five of the six Midwestern states, including Wisconsin, allow offenders to drive these vehicles.

Driving Commercial Vehicles with a Hardship License (Jurisdictions that Issue Hardship Licenses)				
Responses	Jurisdiction			
	USA/Canada	USA	Midwest	Wisconsin
Can an offender with a hardship license drive a commercial vehicle without passengers, such as a truck?				
<i>N</i> =	40	35	6	1
Yes	53%	49%	83%	100%
No	47	51	17	--
Can an offender with a hardship license drive a commercial vehicle with passengers, such as a cab or bus?				
<i>N</i> =	40	35	6	1
Yes	50%	43%	83%	100%
No	47	54	17	--
Don't know	3	3	--	--
Source: Data Tables 108 – 109				

Detailed Findings

Effect of Hardship Licensing Program on Key Areas

All respondents from jurisdictions that issue hardship licenses were asked to assess how hardship licenses had affected six different areas. The results of these questions are displayed on the following three pages. Generally, the respondents did not perceive large impacts of the hardship licenses on any of the areas. In all six cases, most respondents said hardship licenses did not have an effect or they did not know what the effect was.

The following table shows that most respondents said either that hardship licenses had had no effect on the number of offenders operating vehicles without valid licenses (30%) or that they did not know what the effect was (30%). Of those who saw an effect, more said the hardship licenses had reduced the number of offenders driving (28%) than said the hardship licenses had increased the number (13%).

When asked about the hardship licenses' effects on insurance claims and rates, 68% said they did not know. Only six of the 40 respondents (15%) said hardship licenses had either increased or decreased the number of insurance claims and rates.

Effect of Hardship Licenses (in your jurisdiction) (Jurisdictions that Issue Hardship Licenses)				
Responses	Jurisdiction			
	USA/ Canada	USA	Midwest	Wisconsin
<i>N</i> =	40	35	6	1
Effect on the number of offenders operating without a valid license				
Increased the number a lot	8%	9%	17%	--
Increased the number a little	5	6	17	--
Had no effect	30	31	--	--
Reduced the number a little	25	23	33	100%
Reduced the number a lot	3	3	--	--
Don't know	30	29	33	--
Effect on insurance claims and rates				
Increased the number a lot	3%	3%	--	--
Increased the number a little	8	9	--	--
Had no effect	18	17	--	--
Reduced the number a little	3	3	--	--
Reduced the number a lot	3	3	--	--
Don't know	68	66	100%	100%
Source: Data Tables 110 and 113				

Detailed Findings

When asked about the effect of hardship licenses on the number of traffic accidents and traffic injuries and deaths, a slight majority of respondents (53% and 55%) said they did not know. Almost all of the others said the hardship licenses had had no effect.

Effect of Hardship Licenses (in your jurisdiction) (Jurisdictions that Issue Hardship Licenses)				
Responses	Jurisdiction			
	USA/ Canada	USA	Midwest	Wisconsin
<i>N</i> =	40	35	6	1
Effect on the number of traffic accidents				
Increased the number a lot	--	--	--	--
Increased the number a little	3%	3%	17%	--
Had no effect	40	43	--	--
Reduced the number a little	5	3	--	--
Reduced the number a lot	--	--	--	--
Don't know	53	51	83	100%
Effect on the number of traffic injuries and deaths				
Increased the number a lot	--	--	--	--
Increased the number a little	3%	3%	--	--
Had no effect	38	40	17	--
Reduced the number a little	5	3	--	--
Reduced the number a lot	--	--	--	--
Don't know	55	54	83	100%
Source: Data Tables 111 – 112				

Detailed Findings

When asked about the effect of hardship licenses on unemployment, most respondents said either that hardship licenses had had no effect (33%) or that they did not know what the effect was (45%). A few more respondents said hardship licenses had reduced unemployment (21%) than increased it (3%).

When asked about the effect of hardship licenses on mortgage defaults, the overwhelming majority of 83% said they did not know.

Effect of Hardship Licenses (in your state) (Jurisdictions that Issue Hardship Licenses)				
Responses	Jurisdiction			
	USA/ Canada	USA	Midwest	Wisconsin
<i>N</i> =	40	35	6	1
Effect on unemployment				
Increased unemployment a lot	3%	3%	--	--
Increased unemployment a little	--	--	--	--
Had no effect	33	34	17%	--
Reduced unemployment a little	18	17	--	--
Reduced unemployment a lot	3	3	--	--
Don't know	45	43	83	100%
Effect on mortgage defaults				
Increased the number a lot	3%	3%	--	--
Increased the number a little	--	--	--	--
Had no effect	15	17	--	--
Reduced the number a little	--	--	--	--
Reduced the number a lot	--	--	--	--
Don't know	83	80	100%	100%
Source: Data Tables 114 – 115				

Detailed Findings

Jurisdiction Tracking System for Key Areas

Respondents in jurisdictions that issue hardship licenses were asked if their jurisdictions maintained a consistent tracking system that allows for quantifiable or numerical comparisons for the impact of hardship licenses on highway safety, insurance claims and rates, and unemployment.

Eight of the respondents (21%) said their jurisdictions did track hardship licenses so they could evaluate the impact of hardship licenses on highway safety in terms of crash and conviction rates.

One person (3%) said his or her jurisdiction maintained data to evaluate the impact of hardship licenses on insurance claims and rates, and two respondents (5%) they had a tracking system that could measure the impact of hardship licenses on unemployment.

However, upon further investigation, all the tracking systems were simply statistics on accident rates or numbers of hardship licenses issued. These data sets sometimes required special programming in order to access them. They could not easily or reasonably provide us with actual statistics that had ever been used to measure the impact of hardship licenses on any other variables.

Does your state have a consistent tracking system in place that allows for quantifiable or numerical comparisons for the impact of hardship licenses on: (Jurisdictions that Issue Hardship Licenses)				
Responses	Jurisdiction			
	USA/Canada	USA	Midwest	Wisconsin
<i>N</i> =	38	33	6	1
Highway safety in terms of crash and conviction rates?				
Yes	21%	24%	33%	--
No	55	55	33	100%
Don't know	24	21	33	--
Economic impact in terms of insurance claims and rates?				
Yes	3%	3%	--	--
No	71	73	50	100%
Don't know	26	24	50	--
Social impact in terms of impact on unemployment?				
Yes	5%	6%	--	--
No	63	64	50%	100%
Don't know	32	30	50	--
Source: Data Tables 116 – 118				

Detailed Findings

Comparison of Wisconsin's Occupational Licensing Program to the other Midwestern States

One objective of this research project is to compare Wisconsin to other Midwestern states. Five states in addition to Wisconsin are classified as Midwest in this report:

- Illinois
- Indiana
- Iowa
- Michigan
- Minnesota

Generally, Wisconsin is similar to other Midwestern states but tends to be on the more lenient end of the scale in terms of occupational license laws. Wisconsin suspends and revokes licenses for approximately the same reasons that other Midwestern states do, and it tends to have the same types of restrictions on the occupational licenses. However, it has fewer requirements and allows more activities than most Midwestern states.

The comparisons of Wisconsin and other Midwestern states are summarized below:

Profile of Hardship Licensing Program

- All six Midwestern states have hardship licensing programs.
- Four of the six Midwestern states have changed the hardship licensing laws, policies, or practices in the past few years. Most of the changes were designed to make the hardship licensing program more strict—such as making waiting periods longer, requiring the use of Ignition Interlock Devices, or creating more reasons to suspend or revoke regular driver's licenses. Wisconsin's changes were mixed; for example, it created a suspension for non-driving drug convictions but also permitted "homemaker duties" to be included in the allowed activities.
- The Midwest respondents seldom estimated the effects of hardship licenses on insurance rates and claims, traffic accidents, traffic injuries and deaths, unemployment, or mortgage defaults.
- Wisconsin issues more hardship licenses than any of the three other Midwestern states that specified how many they had issued. The numbers of hardship licenses issued by the four states that answered the question are:

▪ Wisconsin	31,968
▪ Iowa	20,000
▪ Minnesota	18,000
▪ Michigan	1,514

Detailed Findings

Revocation/Suspension Reasons

As the following table shows, Wisconsin and the other five Midwestern states suspend and revoke driver's licenses for roughly the same reasons. The only exceptions are that one state does not withdraw licenses because of demerit points and three states do not do so for non-driving drug convictions.

Midwest Comparisons of Revocation/Suspension Offenses						
	Midwest State					
	WI	IL	IN	IA	MI	MN
Revocation/Suspension Offenses						
DUI/DWI/OWI	X	X	X	X	X	X
Refusal to take a sobriety test	X	X	X	X	X	X
Demerit points/traffic convictions	X	X	X		X	X
Non-driving drug conviction	X		X	X		
Non-payment of fines	X	X	X	X	X	X
Non-driving offenses <i>(truancy/failure to pay child support)</i>	X	X	X	X	X	X

Detailed Findings

Offenses Eligible for Hardship License

Wisconsin tends to issue hardship licenses for more types of offenses than other Midwestern states, but there is not a large difference. There are five types of offenses listed in the questionnaire for which Wisconsin issues hardship licenses.

Of the other five Midwestern states:

- Four issue hardship licenses for OWI
- Four issue hardship licenses for refusal to take a sobriety test
- Three issue hardship licenses for administrative withdrawals, such as for excessive demerit points
- Two issue hardship licenses for non-driving drug convictions
- One issues hardship licenses for failure to pay fines
- Two issue hardship licenses for non-driving offenses, such as truancy or failure to pay child support

Comparison of Eligible Offenses for Hardship Licenses						
	Midwest State					
	WI	IL	IN	IA	MI	MN
Offenses Eligible for OL						
DUI/DWI/OWI	X	X	X	X		X
Refusal to take a sobriety test	X	X		X	X	X
Demerit points/traffic convictions	X	X			X	X
Non-driving drug conviction	X		X	X		
Non-payment of fines				X		
Non-driving offenses (truancy/failure to pay child support)	X	X	X			
NOTE: A shaded cell indicates that the state does not suspend or revoke a license for this reason.						

OWI Offender Hardship Licensing Procedures

- Wisconsin tends to issue a larger proportion of hardship licenses for OWI (66%) than for the average of other Midwestern states (46.5%).
- In Wisconsin and all the other four Midwestern states that issue hardship licenses for OWI, offenders lose their licenses after drunk driving arrests but prior to conviction. Offenders are eligible for hardship licenses in all five states. In Wisconsin and Illinois, there is no waiting period; in the three other states, the waiting period is 30 days.
- For the first-time **convicted** drunk driver, Wisconsin and Illinois do not require a waiting period, Minnesota requires a wait of less than 30 days, and Indiana and Iowa require a 30 day waiting periods

Detailed Findings

Fees

Wisconsin's fee for a hardship license is \$40, less than half the average fee of \$100.40 for the other five Midwestern states. (However, the reader should keep in mind that other research in this project—the in-depth telephone interviews—shows that the state fee is typically small when compared to the increase in car insurance rates.)

Requirements

Wisconsin's only requirement to receive a hardship license is proof of financial responsibility. Other Midwestern states tend to have slightly more requirements. For example, three require a vision test, a letter from a drug or alcohol treatment provider, and evidence that other means of transportation are not available.

Comparison of Hardship License Requirements						
	Midwestern State					
	WI	IL	IN*	IA	MI	MN
Eligibility Requirements						
Vision test		X		X		X
Written test				X		X
Road test		X		X		
Letter from an employer or school		X		X		
Letter from a healthcare provider		X			X	
Letter from a drug or alcohol treatment provider		X		X	X	
Evidence that other means of transportation are not available		X		X	X	
Proof of financial responsibility or insurance (SR-22)	X	X		X	X	
NOTE: Each table cell is marked if the respondent for a state said "Yes," that the state has that requirement. If a respondent said "don't know" or "depends, that answer is not counted as a "Yes." We are unable to determine whether a "don't know" is a "yes" or a "no," and we cannot judge whether "depends" means "usually" or "rarely" or something in between.						
*The respondent for Indiana answered "depends" for all eight items in this question.						

Detailed Findings

Activities

Wisconsin seems more lenient than other Midwestern states because it allows use of the hardship license for all seven activities in the questionnaire. Four of the other five Midwestern states allow it for work, school, and alcohol or drug treatment. Two allow use of the hardship license for medical or dental appointments and caring for family members. One other state (Minnesota) allows use for grocery shopping or household duties. No Midwestern state, other than Wisconsin, allows use for religious observation.

Comparison of Allowed Occupational License Activities						
	Midwest State					
	WI	IL	IN*	IA	MI	MN
Work	X	X		X	X	X
School	X	X		X	X	X
Religious observation	X					
Medical or dental appointments	X	X			X	
Alcohol or drug treatment	X	X		X	X	X
Grocery shopping/Household duties	X					X
Caring for family members	X	X			X	
<p>NOTE: Each table cell is marked if the respondent for a state said “Yes,” that the state allows that activity. If a respondent said “don’t know” or “depends, that answer is not counted as a “Yes.” We are unable to determine whether a “don’t know” is a “yes” or a “no,” and we cannot judge whether “depends” means “usually” or “rarely” or something in between.</p> <p>*The respondent for Indiana answered “depends” for all seven items in this question.</p>						

Detailed Findings

Restrictions

Wisconsin tends to place somewhat more restrictions on hardship licenses than the other Midwestern states do, except for Iowa. While Wisconsin and Iowa place restrictions on all six variables included in the questionnaire, Illinois and Minnesota place five types of restrictions, and Michigan places three types of restrictions.

Comparison of Hardship License Restrictions						
	Midwest State					
	WI	IL	IN*	IA	MI	MN
Time of day	X	X		X		X
Day of the week	X	X		X		X
Routes of travel	X			X		
Destination (work, school, treatment, etc.)	X	X		X	X	X
Duration in months or years	X	X		X	X	X
Number of hours per week	X	X		X	X	X
NOTE: Each table cell is marked if the respondent for a state said “Yes,” that the state has that restriction. If a respondent said “don’t know” or “depends, that answer is not counted as a “Yes.” We are unable to determine whether a “don’t know” is a “yes” or a “no,” and we cannot judge whether “depends” means “usually” or “rarely” or something in between. *The respondent for Indiana answered “depends” for all six items in this question.						

Detailed Findings

Summary

The table below summarizes the number of activities, restrictions, and requirements for each of the six Midwestern states.

The table shows that Wisconsin is the most lenient Midwestern state in terms of the number of requirements to obtain a hardship license and number of activities allowed. However, it is, along with Iowa, the most strict in terms of restrictions.

Number* of Activities, Restrictions, and Requirements Associated with Hardship Licenses			
	Number of Requirements	Number of Activities	Number of Restrictions
<i>Maximum Number =</i>	8	7	6
Wisconsin	1	7	6
Illinois	7	5	5
Indiana**	0	0	0
Iowa	7	3	6
Michigan	4	5	3
Minnesota	2	4	5
<p>* The number of activities, restrictions, and requirements are the number of times the respondent for each state said “Yes,” that the state has that requirement, allows that activity, and imposes that restriction. If a respondent said “don’t know” or “depends, that answer is not counted as a “Yes.” We are unable to determine whether a “don’t know” is a “yes” or a “no,” and we cannot judge whether “depends” means “usually” or “rarely” or something in between.</p> <p>**The respondent for Indiana answered “depends” for each of the 21 items in these three scales.</p>			

In summary, Wisconsin tends to be more lenient than other Midwestern states in terms of occupational licenses, although not in all ways. It does not require a waiting period for first-offense OWI. Its fee for an occupational license is \$40, well below the Midwest average. It offers the licenses for the approximately the same reasons as other Midwestern states and has only one requirement for an eligible offender to receive a license (proof of financial responsibility). It also allows the largest number of activities, including household duties, which is very difficult to enforce. However, the occupational license in Wisconsin has six types of restrictions, which is the same as Iowa and more than the remaining states.

Iowa seems to be the strictest Midwestern state in terms of hardship licenses. Iowa has all seven requirements, allows only three activities, and, along with Wisconsin, has the most restrictions.

Detailed Findings

The Effects of Hardship Licensing Laws on Traffic Fatalities and Unemployment Rates

Analysis Methodology

In looking at the states' hardship license practices, one might inquire if stricter or harsher practices affects traffic statistics or unemployment in the states. For example, one might hypothesize that states with strict hardship licensing programs, or states without hardship licensing programs, might have lower traffic fatality rates or higher unemployment rates. These hypotheses were addressed in the questionnaire, but the most common answer for the effects of hardship licenses was "don't know." The next-most-common answer was "no effect." Because of the large number of "don't know" and "no effect" responses, it was clear that the respondents did not have clear opinions on the effects of hardship licenses.

In this section of the report, we use a different strategy to address the impact of hardship licenses on traffic fatalities and unemployment. We classify states as having, or not having, hardship licensing laws. Among the states with hardship licensing laws, we classify their laws as lenient, moderate, and strict. We then compare the traffic fatality rates and unemployment rates of the four types of states (no law, lenient law, moderate law, and strict law). Using this type of analysis, we are not limited to respondents' judgement and perceptions.

Classifying States

It is easy to classify states as having a hardship licensing program or not; either the state has a program or it does not. However, there is no one obvious or "correct" way to classify states by the leniency or strictness of their hardship license practices. In this report, rather than try to derive the one best way to classify states, we use three alternative reasonable methods:

- The number of activities allowed under the hardship licenses
- The number of restrictions imposed by the hardship licenses
- The number of requirements to receive a hardship license

Detailed Findings

First, we classify states according to the number of activities for which the hardship license can be used. If a state allows an offender to use a hardship license for many types of activities, we classify that state as “lenient,” and if it allows few types of activities, we classify that state as “strict.” States that allow a moderate number of activities are classified as “moderate.”

The activities that were listed in the questionnaire were:

• Work	• Alcohol or drug treatment
• School	• Grocery shopping/Household duties
• Religious observation	• Caring for family members
• Medical or dental appointments	

Second, we classify states according to the number of restrictions placed on the hardship licenses. If a state places many restrictions on its hardship licenses, we classify that state as “strict,” and if it has few restrictions, we classify that state as “lenient.” States that place a moderate number of restrictions are classified as “moderate.”

The restrictions listed in the questionnaire were:

• Time of day	• Destination
• Day of the week	• Duration in months or years
• Routes of travel	• Number of hours per week

Third, we classify states according to the number of requirements for hardship licenses. If a state has many requirements, we classify that state as “strict,” and if it has few requirements, we classify that state as “lenient.” States that have a moderate number of requirements are classified as “moderate.”

The requirements listed in the questionnaire were:

• Vision test	• Letter from healthcare provider
• Written test	• Letter from drug/alcohol treatment
• Road test	• Evidence that other means of transportation are not available
• Letter from employer or school	• Proof of financial responsibility

If the respondent answered equivocally—by “depends” or “don’t know”—to too many questions on one of the criteria, that state is not classified. For example, in the eight possible requirements for a hardship license, five respondents answered “depends” or “don’t know” for seven or eight of the requirements. The states of these five respondents are not classified on the “lenient-to-strict” scale.

Wisconsin is classified as “lenient” on the “use” scale because Wisconsin occupational licenses can be used for all of the uses included in the questionnaire. It is “strict” on the “restrictions” because it has all the restrictions. It is classified as “lenient” on the “requirements” scale because its only requirement for an eligible offender is proof of financial responsibility.

Detailed Findings

The following tables show how the US states and Canadian provinces are classified on each of the three scales.

Number of Activities Permitted by the Hardship License					
Lenient = 13		Moderate = 13		Strict = 10	
California	North Carolina	Arizona	Minnesota	Alaska	Quebec
Delaware	Ohio	Colorado	Nebraska	Alberta	Utah
Illinois	Saskatchewan	Georgia	Oregon	Connecticut	Washington
Louisiana	Virginia	Idaho	South Dakota	Maine	Nova Scotia
Michigan	<i>Wisconsin</i>	Iowa	Tennessee	Massachusetts	Pennsylvania
Missouri	Wyoming	Kentucky	Texas		
New York		Maryland			

Number of Restrictions Imposed by the Hardship License					
Lenient = 16		Moderate = 11		Strict = 10	
Alaska	Alberta	South Dakota	California	Ohio	Texas
Florida	Georgia	Iowa	Colorado	Oregon	Utah
Kentucky	Idaho	Louisiana	Connecticut	Pennsylvania	Virginia
New York	Massachusetts	Maine	Delaware	Saskatchewan	Washington
Quebec	Manitoba	Minnesota	Illinois	Tennessee	<i>Wisconsin</i>
Wyoming	Maryland	North Dakota			
Nebraska	Missouri				
Nova Scotia	North Carolina				

Number of Requirements to Receive a Hardship License					
Lenient = 16		Moderate = 11		Strict = 8	
Delaware	North Carolina	Alaska	Tennessee	California	
Florida	Nova Scotia	Connecticut	Virginia	Colorado	
Georgia	New York	Kentucky	Wyoming	Illinois	
Idaho	Pennsylvania	Louisiana	Oregon	Iowa	
Manitoba	South Dakota	Maine	Saskatchewan	Massachusetts	
Maryland	Texas	Michigan		Nebraska	
Minnesota	Washington			Ohio	
Missouri	<i>Wisconsin</i>			Utah	

Detailed Findings

Potential Effects of Hardship Licensing Programs

To estimate the effects of hardship licenses on the states, we examined three variables that might be affected by the presence or absence of a hardship license program—and by the leniency or strictness of the program. Two of the variables are measures of traffic accident fatality rates. The three variables are:

- Traffic fatality rate per 100,000 licensed drivers⁷
- Traffic fatality rate per 100 million vehicle miles traveled⁸
- Unemployment rate⁹

Data were available for only the United States, so Canadian provinces are not included in the following analysis.

Traffic Fatality

The following table shows the average fatality rates for the three groups of states based on each of the three measures. Each table also displays the average rate for all the states that do not have hardship license programs, as well as the average of all 50 states and the District of Columbia. This table shows that the states with the strict hardship license programs have the lowest traffic fatality rates (per 100,000 licensed drivers), regardless which scale is used. In addition, the table shows that states without hardship licenses have the second-lowest traffic fatality rates.

Mean Traffic Fatality Rates (per 100,000 Licensed Drivers) For Classifications of States			
Hardship Licensing Program Classification	Scale Used		
	Number of Activities	Number of Restrictions	Number of Requirements
Lenient	23.22	26.06	23.36
Moderate	25.74	24.60	24.67
Strict	17.46	21.07	19.36
No Hardship Lisc.	22.31	22.31	22.31
Average US	23.68	23.68	23.68
NOTE: Wisconsin's fatality rate per 100,000 licensed drivers was 21.19			

⁷ Source: National Highway Traffic Administration, for year 2000.

⁸ Source: National Highway Traffic Administration, for year 2000.

⁹ Source: Bureau of the Census, for year 1999.

Detailed Findings

The following table looks at traffic fatality rates from a different perspective—per 100 million vehicle miles traveled. The table shows that states with strict hardship license programs usually had the lowest traffic fatality rates on two of the three scales, the number of activities and the number of requirements.

Mean Fatality Rates (per 100 Million Vehicle Miles Traveled) For Classifications of States			
Hardship Licensing Program Classification	Scale Used		
	Number of Activities	Number of Restrictions	Number of Requirements
Lenient	1.48	1.74	1.48
Moderate	1.58	1.43	1.61
Strict	1.39	1.45	1.38
No Hardship Lisc.	1.53	1.53	1.53
Average US	1.56	1.56	1.56
<i>NOTE: Wisconsin's fatality rate per 100 million vehicle miles traveled was 1.4</i>			

Unemployment Rates

The next table shows the average unemployment rates for the three classifications of states, as well as the states without hardship licenses and the US as a whole. Unlike the tables about traffic fatalities, there is no apparent pattern in the table's data. No one classification of states is consistently highest or lowest in unemployment rates. There is no evidence in this table that presence or strictness of a hardship license program is related to unemployment rates.

Mean Unemployment Rates For Classifications of States			
Hardship Licensing Program Classification	Scale Used		
	Number of Activities	Number of Restrictions	Number of Requirements
Lenient	4.06	4.98	3.88
Moderate	3.84	3.54	4.45
Strict	4.24	3.91	3.63
No Hardship Lisc.	4.16	4.16	4.16
Average US	4.16	4.16	4.16
<i>NOTE: Wisconsin's unemployment rate in 1999 was 3.0</i>			

Detailed Findings

The following table shows the average values of all three scales classified by states according to their overall level of leniency or strictness. In order to develop an overall scale, the three scales were added together, with “lenient” having a value of “1,” “moderate” having a value of “2,” and “strict” having a value of “3.” The most lenient states would have values of “1” on each scale and would have a total value of “3.” The most strict states would have a total value of “9.” The table shows that only one state, New York, has the most lenient value of “3” and no states have the strictest value of “9.” Alaska and Nebraska have values of “8,” the highest on the table. Wisconsin has a value of “5.”¹⁰

Looking at the data this way, there is no perceptible relationship between traffic fatalities or unemployment and states’ overall leniency or strictness. There is no consistent pattern in any of the three sets of means; stricter states are neither more likely nor less likely to have higher means.

Average Rates: Traffic Fatalities and Unemployment				
Class	States	Fatalities (# lic. drivers)	Fatalities (miles driven)	Unemployment
3 (most lenient)	NY	13.41	1.10	5.20
4	MO, NC, WY	32.29	1.63	3.83
5	DE, WI	21.64	1.45	3.25
6	GA, ID, KY, LA, MD, SD, VA	27.40	1.59	4.00
7	CA, IL, OH	17.31	1.30	4.60
8 (most strict)	AK, NE	22.62	1.85	4.65
No Hardship License		22.31	1.53	4.16
Total US		23.68	1.56	4.16

¹⁰ Only 18 states were classified on all three scales and appear in the table.

Detailed Findings

Conclusions

The data here show that there is a weak relationship between hardship licensing programs and **traffic fatality**. States with strict hardship licensing programs tend to have lower fatality rates than other states. States with lenient or moderately strict programs tend to have the highest traffic fatality rates. States without hardship licensing programs tend to have low traffic fatality rates, but not as low as states with strict programs.

This analysis also shows that there is no perceptible relationship between the presence, or strictness, of hardship licensing programs and **unemployment rates**. That is, states with strict hardship licensing programs, moderate programs, lenient programs, or no programs do not have higher or lower unemployment rates.

These four tables taken together provide some limited support to the idea that strict hardship licensing programs are associated with lower traffic fatality rates. However, the evidence is hardly overwhelming. There are many intervening variables that might account for differences in traffic fatality rates. These tables are shown to begin, rather than conclude, an investigation into the link between traffic accidents and hardship license policies.

The tables do not show any link at all between hardship licensing policies and unemployment rates. This may seem surprising, since logically a hardship license helps offenders keep their jobs. Respondents in the telephone in-depth interview in this study were unanimous in praising Wisconsin's occupational license program in keeping offenders employed. However, the causes of unemployment are diverse, and the effect of a hardship license program may be drowned out by many other factors. For example, an income tax change, or a change in the Federal Reserve System's discount rate, may have much more influence on unemployment statistics than changes in driving laws. In addition, regional changes, such as changes in gasoline prices, may affect unemployment more than a hardship license law would.

Therefore, while we do not see any clear relationship between hardship license policies and states' unemployment rates, we should not conclude that a hardship license program has no effect on employment. A few thousand jobs saved by a hardship license law would clearly be important to a state even if they did not change the unemployment statistic.

APPENDIX A

SURVEY QUESTIONNAIRE



DISPOSITION

CODE _____4306__

030243061

05/01/02 – 8

WisDOT EVALUATION OF THE EFFECTIVENESS OF THE OCCUPATIONAL LICENSING PROGRAM

STUDY QUESTIONNAIRE

First Call:	Date _____	Time _____	Interviewer _____
1st Callback	_____	_____	_____
2nd Callback	_____	_____	_____
3rd Callback	_____	_____	_____

Respondent Name: «Contact_Name2»

Respondent Title: «Title2»

Phone number: «Phone2»

May I please speak to «Contact_Name2»? (IF NOT AVAILABLE, ASK FOR THE BEST TIME TO REACH THIS PERSON.)

INTRODUCTION

Hello, my name is _____ of The Dieringer Research Group, an international marketing research firm headquartered in Milwaukee, WI. We have been retained by the Wisconsin Department of Transportation to conduct a study of hardship or occupational driver's licenses.

READ IF NECESSARY: *By hardship or occupational driver's license, I mean a driver's license that is given to a person who has had his or her regular license suspended or revoked. Hardship or occupational licenses usually have limitations on the times of driving, the locations people can drive to or the routes they can take.*

1. Does your state use hardship licenses for drivers who have had their driver's licenses suspended or revoked?

PROCEED TO #1.1. →	Yes	1
SKIP TO #1.2. →	No	2
SKIP TO #1.2. →	Don't Know	3

- 1.1. We realize that in many states, both the court system and a department of motor vehicles may be involved in administering and/or issuing hardship driver's licenses. We want to discuss the practices in your state, regardless of who is in control of or involved in the program. Would you be able to explain your program from both points of view?

PROCEED TO #1.1B. →	Yes	1
SKIP TO #1.1A. →	No	2
SKIP TO #1.1A. →	Don't Know	3

1.1a. For which system would you be able to answer for, the court system or the department of motor vehicles or similar department?

PROCEED TO #1.1B. → Court system only 1
PROCEED TO #1.1B. → DMV only 2
DO NOT READ. PROCEED TO #1.1B. → Both..... 3
DO NOT READ. THANK AND TERMINATE → Neither 4

1.1b. Just to be clear, your responses in this interview will be reflecting [INSERT RESPONSE FROM EITHER #1.1 OR 1.1.A = COURT SYSTEM ONLY/DMV TYPE DEPARTMENT/BOTH SYSTEMS]. Correct?

PROCEED TO #1.1C. → Yes 1
RE-ASK #1.1A → No 2
DO NOT READ. THANK AND TERMINATE → Neither 3

1.1c. Approximately how many hardship licenses were issued last year (2001)?

_____ issued in 2001
(Range 1-99,999,999)
Don't know..... 8
Refused 9

1.1d. [ASK IF #1.1 = 1 AND 1.1A NOT EQUAL TO 1, 2, 4]
About what percent of these were initially issued by..

(NOTE: IF UNSURE, ASK IF THEY THINK IT IS:
LESS THAN HALF = 997 OR MORE THAN HALF = 998)

The court system..... %
The department of motor vehicles or similar department..... %
DO NOT READ. → Don't Know 999

STATES WITH A HARDSHIP PROGRAM SKIP TO #2

(QUESTIONS FOR STATES WITHOUT A HARDSHIP PROGRAM)

1.2. Has your state used hardship licenses in the past?

PROCEED TO #1.2a. → Yes 1
SKIP TO #1.3 → No 2
SKIP TO #1.3 → Don't Know 3

1.2a. For what reasons was the program discontinued? (RECORD VERBATIM RESPONSE. PROBE AND CLARIFY.)

1.3. Is your state considering using hardship licenses in the future?

PROCEED TO #1.3a. → Yes 1
SKIP TO #1.4 → No 2
SKIP TO #1.4 → Don't Know 3

1.3a. For what reasons are you considering using a hardship licensing program in the future? **(RECORD VERBATIM RESPONSE. PROBE AND CLARIFY.)**

1.4. **(ASK #1.4 IF #1=2 or 3 AND #1.2=2 or 3 AND #1.3 = 2 or 3 BUT NOT #1 = 3 (dk) AND #1.2 =3 AND #1.3 = 3, ELSE SKIP TO CLOSING.)**

For what reasons has your state decided not to use hardship licenses?

SKIP TO CLOSING

2. What is this type of license called in your state? **(DO NOT READ LIST. CHECK ALL THAT APPLY.)**

Occupational license 1
Hardship license 2
Restricted license 3
Limited license 4
Vocational license 5
Other (specify) _____ 29
Don't know 30

3. For what offenses can a driver's license be suspended or revoked in your state? **(READ LIST. CHECK ALL THAT APPLY.)**

Driving while under the influence of drugs or alcohol
(DUI/DWI/OWI, failing a sobriety test) 1
Refusal to take a sobriety test 2
Administrative withdrawals by that we mean exceeding the allowed
number of demerit points or traffic convictions 3
Non-driving drug conviction 4
Non-payment of fines 5
Non-driving offenses such as truancy or failure to pay child support .. 6
Any other reasons? (specify) _____ 7

DO NOT READ → Don't know 30

3.1. For which of these offenses is a person eligible for a hardship license in your state? (**READ LIST OF THOSE MENTIONED IN #3. CHECK ALL THAT APPLY.**)

- Driving while under the influence of drugs or alcohol
(DUI/DWI/OWI, failing a sobriety test)..... 1
- Refusal to take a sobriety test.....2
- Administrative withdrawals (such as demerit points)3
- Non-driving drug conviction4
- Non-payment of fines5
- Non-driving offenses such as truancy or failure to pay child support...6
- Any other reasons? (specify) _____ 7

DO NOT READ. SKIP TO #5. → Don't know 30

3.2. Of all the hardship licenses issued in your state, approximately what percent are issued for:
(**INSERT EACH REASON MENTIONED IN #3.1**)

(**NOTE: IF UNSURE, ASK IF THEY THINK IT IS:
FEW = 997 OR MOST = 998**)

- A. Driving while under the influence of drugs or alcohol
(DUI/DWI/OWI, failing a sobriety test)..... %
- B. Refusal to take a sobriety test %
- C. Administrative withdrawals (such as demerit points) %
- D. Non-driving drug conviction %
- E. Non-payment of fines %
- F. Non-driving offenses such as truancy or failure to
pay child support..... %
- G. Other _____ %

4. [**IF #3.1. = 1, ELSE SKIP TO #4.1.**]

Assuming probable cause for the arrest, is there a loss of license -- after the *drunk driving* arrest but prior to the conviction?

- PROCEED TO #4A.** → Yes 1
- SKIP TO #4C.** → No 2
- SKIP TO #4C.** → Don't Know 3

A. Is the offender eligible for a hardship license during that period?

READ IF NECESSARY: Between the arrest and conviction.

- PROCEED TO #4B.** → Yes 1
- SKIP TO #4C.** → No 2
- SKIP TO #4C.** → Don't Know 3

- B. In this scenario, how long does this offender have to wait to be eligible for a hardship license?
(**READ LIST ONLY IF NECESSARY.**)

No wait	1
30 days	2
60 days	3
90 days	4
120 or more days	5
Not available	6
DO NOT READ → Don't know	7

- C. How long does an offender **convicted** of a first-offense drunk driving have to wait to receive a hardship license, assuming no injuries are caused by the drunk driver? (**READ LIST ONLY IF NECESSARY.**)

No wait	1
30 days	2
60 days	3
90 days	4
120 or more days	5
Not available first-time DWI offender	6
DO NOT READ → Don't know	7

4.1. [***IF #3.1. = 2, ELSE SKIP TO #4.2.***]

How long does an offender who is **convicted** of refusing to take a sobriety test have to wait to receive a hardship license, assuming this is a first offense and no injuries are involved?
(**READ LIST ONLY IF NECESSARY.**)

No wait	1
30 days	2
60 days	3
90 days	4
120 or more days	5
Not available for someone who refuses the test	6
DO NOT READ → Don't know	7

4.2. [***IF #3.1. = 3, ELSE SKIP TO #4.3.***]

How long does an offender who lost a license because of an *administrative withdrawal* have to wait to receive a hardship license, assuming this is a first offense? (**READ LIST ONLY IF NECESSARY.**)

READ IF NECESSARY: Administrative withdrawal means exceeding the number of allowed demerit points or traffic convictions.

No wait	1
30 days	2
60 days	3
90 days	4
120 or more days	5
Not available for a first-time demerit offender	6
DO NOT READ → Don't know	7

4.3. question deleted 4/29

4.4. *[IF #3.1. = 5, ELSE SKIP TO #4.5.]*

How long does an offender who lost a license because of *non-payment of fines* have to wait to receive a hardship license, assuming this is a first offense? **(READ LIST ONLY IF NECESSARY.)**

No wait	1
30 days	2
60 days	3
90 days	4
120 or more days	5
Not available for a first-time non-payment of fines	6
DO NOT READ → Don't know	7

4.5. question deleted 4/29

5. Is there a fee for a hardship license, such as an application fee or a reinstatement fee?

PROCEED TO #5.1. → Yes	1
SKIP TO #6 → No	2
SKIP TO #6 → Don't Know	3

5.1. How much is the fee?

	\$ _____	
DO NOT READ → Don't know.....		998
DO NOT READ → Refused		999

6. Does the application procedure require a formal hearing?

Yes.....	1
No.....	2
DO NOT READ → Don't know.....	3
DO NOT READ → Refused	4

7. Sometimes states require offenders to meet other qualifications to receive hardship licenses. I would like to read some qualifications that different states use. For each one I name, please tell me if your state uses it. **(RANDOMIZE.)**

	<u>Yes</u>	<u>No</u>	<u>DK</u>	<u>Depends</u>
A. A vision test	1	2	3	4
B. A written test.....	1	2	3	4
C. A road test	1	2	3	4
D. A letter from an employer or school.....	1	2	3	4
E. A letter from a healthcare provider	1	2	3	4
F. A letter from a drug or alcohol treatment provider	1	2	3	4
G. Evidence that other means of transportation are not available	1	2	3	4
H. Proof of financial responsibility or insurance (SR-22)	1	2	3	4

7.1. Do you have any other qualifications for a hardship license, and if so what are they?

8. Of all offenders that are eligible for a hardship license, about what percent apply for it?

SKIP TO #9 → _____ % of eligible apply
PROCEED TO #8.1. → Don't know.....998
SKIP TO #9. → Refused999

8.1. *[ASK IF #8 =1 TO 99 or 998, ELSE SKIP TO #9.]*

What do you think are the main reasons in your state that eligible offenders do not apply for a hardship license? (**DO NOT READ LIST. CHECK ALL THAT APPLY.**):

They drive anyway without a license1
They don't know about the hardship license2
Insurance is too expensive3
They find alternative transportation (do not need a hardship
license4
It is too much hassle to get a hardship license5
Cost too much (legal fees, application fee, etc.)6
Other reasons (specify)7
Don't know8

9. Of all offenders that apply for a hardship license, about what percent receive it?

SKIP TO #10 → _____ % who receive it
PROCEED TO #9.1. → Don't know.....998
PROCEED TO #9.1. → Refused999

9.1. Would you say (**READ LIST**).....

None1
1% to 24%2
25% to 49%3
50% to 74%4
75% to 99%5
100%.....6
DO NOT READ → Don't know.....7
DO NOT READ → Refused8

10. What type of activities can a hardship license be used for? (**READ LIST. ROTATE A THROUGH G. CHECK ALL THAT APPLY.**)

	<u>Yes</u>	<u>No</u>	<u>DK</u>	<u>Depends</u>
A. Work	1	2	3	4
B. School.....	1	2	3	4
C. Religious observation.....	1	2	3	4
D. Medical or dental appointments.....	1	2	3	4
E. Alcohol or drug treatment	1	2	3	4
F. Grocery shopping/Household duties	1	2	3	4
G. Caring for family members	1	2	3	4
H. Other activities at the court's discretion	1	2	3	
I. Anything, meaning no restricted activities	1	2	3	
J. Any Others? (specify)	1	2	3	

10.1. (**ASK IF #10A, B, C, D, OR E = 1 OR 4, ELSE SKIP TO #11**) When an offender receives a hardship license to be used for specific purposes, are those purposes verified as legitimate?

READ IF NECESSARY: For example, if an offender receives a license to go to work, is the employer called for verification?

	Yes.....	1
	No.....	2
DO NOT READ →	Don't know.....	3
DO NOT READ →	Refused	4

11. What restrictions do hardship licenses have in your state? (**READ LIST. ROTATE A THROUGH F. CHECK ALL THAT APPLY.**)

	<u>Yes</u>	<u>No</u>	<u>DK</u>	<u>Depends</u>
a. Time of day	1	2	3	4
b. Day of the week	1	2	3	4
c. Routes of travel.....	1	2	3	4
d. Destination (work, school, treatment, etc.).....	1	2	3	4
e. Duration in months or years (e.g. good for only one year).....	1	2	3	4
f. Number of hours per week	1	2	3	4
g. Other restrictions at the court's discretion.....	1	2	3	
h. Any Others? (specify)	1	2	3	

11.1 (**ASK #11.1. IF #11a through #11h =2 (NO), ELSE SKIP TO #13.**)

Just to confirm, are there any restrictions on a hardship license in your state?

RE-ASK #11. →	Yes.....	1
PROCEED TO #13. →	No.....	2
DO NOT READ. PROCEED TO #13. →	Don't know.....	3
DO NOT READ. PROCEED TO #13. →	Refused	4

12. **QUESTION DELETED** - % hardship licensed combined with IID.

12.1. **QUESTION DELETED** - % range for hardship licensed combined with IID.

13. Can an offender with a hardship license drive a commercial vehicle:

	<u>Yes</u>	<u>No</u>	<u>DK</u>
Without passengers, such as a truck?	1	2	3
With passengers, such as a cab or bus?	1	2	3

Now I would like to ask you some questions about the effect of your state using hardship licenses. I realize that you probably won't have statistics at hand, but I am looking for your best judgement.

(ROTATE QUESTIONS #14 THROUGH #19)

14. What has been the effect of hardship licenses on the number of offenders operating without a valid license (OWS—Operating While Suspended or OAR—Operating After Revocation) in your state? Would you say that hardship licenses have **(READ LIST)**:

- Increased** the number of offenders operating without a valid license a lot 1
Increased them a little 2
Had no effect..... 3
Reduced the number of offenders a little 4
Reduced them a lot 5
DO NOT READ → Don't know 6

15. What has been the effect of hardship licenses on the number of traffic accidents in your state? Would you say that hardship licenses have **(READ LIST)**:

- Increased** the number of traffic accidents a lot..... 1
Increased them a little 2
Had no effect..... 3
Reduced the number of traffic accidents a little 4
Reduced them a lot 5
DO NOT READ → Don't know 6

16. What has been the effect of hardship licenses on the number of traffic injuries and deaths in your state? Would you say that hardship licenses have **(READ LIST)**:

- Increased** the number of traffic injuries and deaths a lot 1
Increased them a little 2
Had no effect..... 3
Reduced the number of traffic injuries and deaths a little 4
Reduced them a lot 5
DO NOT READ → Don't know 6

17. What has been the effect of hardship licenses on insurance claims and rates in your state? Would you say that hardship licenses have **(READ LIST)**:

- Increased** insurance claims and rates a lot..... 1
 Increased them a little2
 Had no effect3
Reduced insurance claims and rates a little4
 Reduced them a lot5
DO NOT READ → Don't know6

18. What has been the effect of hardship licenses on unemployment in your state? Would you say that hardship licenses have **(READ LIST)**:

- Increased** unemployment a lot..... 1
 Increased it a little2
 Had no effect3
Reduced unemployment a little4
 Reduced it a lot5
DO NOT READ → Don't know6

19. What has been the effect of hardship licenses on mortgage defaults in your state? Would you say that hardship licenses have **(READ LIST)**:

- Increased** the number of mortgage defaults a lot 1
 Increased them a little2
 Had no effect.....3
Reduced the number of mortgage defaults a little4
 Reduced them a lot5
DO NOT READ → Don't know6

19.1 **(DO NOT INCLUDE IN BLOCK ROTATION)**

Does your state have a consistent tracking system in place that allows for quantifiable or numerical comparisons for the impact of hardship licenses on...**(READ AND ROTATE LIST.)**

	<u>Yes</u>	<u>No</u>	<u>DK</u>
Highway safety in terms of crash and conviction rates?	1	2	3
Economic impact in terms of insurance claims and rates?	1	2	3
Social impact in terms of impact on unemployment?	1	2	3

20. In the past few years, has your state changed its laws, policies, or practices concerning hardship licenses?

- PROCEED TO #20.1 →** Yes..... 1
SKIP TO CLOSING → No.....2
SKIP TO CLOSING → Don't know.....3
SKIP TO CLOSING → Refused4

20.1. How have the laws, policies, or practices changed in your state concerning hardship licenses? **(RECORD VERBATIM RESPONSE. PROBE AND CLARIFY.)**

20.2. What have been the effects of these changes to the hardship license program? **(RECORD VERBATIM RESPONSE. PROBE AND CLARIFY.)**

CLOSING

Those are all the questions I have today. Thank you for your time.

APPENDIX B

**USAGE OF HARDSHIP LICENSING PROGRAM
BY JURISDICTION**



Usage of Hardship Licensing Programs by Jurisdiction

Responding Jurisdiction United States			
Jurisdiction	OL Program?	OL Fee?	OL Fee \$
Alaska	Yes	Yes	\$100
Arizona	Yes	Yes	\$10
California	Yes	No	
Colorado	Yes	Don't know	
Connecticut	Yes	No	
Delaware	Yes	Yes	\$10
Florida	Yes	No	
Georgia	Yes	Yes	\$25
Idaho	Yes	Yes	\$35
Illinois	Yes	Yes	\$50
Indiana	Yes	Yes	\$9
Iowa	Yes	Yes	\$28
Kansas	No		
Kentucky	Yes	Yes	\$5
Louisiana	Yes	Yes	\$50
Maine	Yes	No	
Maryland	Yes	No	
Massachusetts	Yes	No	
Michigan	Yes	Yes	\$125
Minnesota	Yes	No	
Mississippi	No		
Missouri	Yes	No	
Nebraska	Yes	Yes	\$40
New Jersey	No		
New York	Yes	Yes	\$75
North Carolina	Yes	No	

Responding Jurisdiction United States			
Jurisdiction	OL Program?	OL Fee?	OL Fee \$
North Dakota	Yes	No	
Ohio	Yes	Yes	Don't know
Oregon	Yes	Yes	\$50
Pennsylvania	Yes	Yes	\$26
South Dakota	Yes	No	
Tennessee	Yes	No	
Texas	Yes	Yes	\$10
Utah	Yes	Yes	\$20
Vermont	No		
Virginia	Yes	Yes	\$140
Washington	Yes	Yes	\$25
West Virginia	No		
Wisconsin	Yes	Yes	\$40
Wyoming	Yes	Yes	\$15
Non Responding Jurisdiction United States			
Jurisdiction	OL Program?	OL Fee?	OL Fee \$
Arkansas	Yes	Unknown	
Hawaii	Yes	Unknown	
Montana	Yes	Unknown	
Nevada	Yes	Unknown	
Oklahoma	Yes	Unknown	
South Carolina	Yes	Unknown	
New Hampshire	No		
Rhode Island	No		
Alabama	Unknown		
District of Columbia	Unknown		
New Mexico	Unknown		

Responding Jurisdiction Canada			
Jurisdiction	OL Program?	OL Fee?	OL Fee \$
Alberta	Yes	Yes	\$150
British Columbia	No		
Manitoba	Yes	Yes	\$130
Nova Scotia	Yes	Yes	\$15
Prince Edward Island	No		
Quebec	Yes	No	
Saskatchewan	Yes	Yes	\$100
Yukon Territory	No		
Non Responding Jurisdiction Canada			
Jurisdiction	OL Program?	OL Fee?	OL Fee \$
New Brunswick	Yes	Unknown	
Northwest Territories	No		
Newfoundland	Unknown		
Ontario	Unknown		